

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MARIA DEL ROSSARIO  
JARAMILLO BALLESTEROS, et al.,

## Plaintiffs,

V.

## THE BOEING COMPANY.

**Defendant.**

C22-393 TSZ

## MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable Thomas S. Zilly, United States District Judge:

(1) Plaintiffs' motion to remand, docket no. 14, is DENIED. On March 30, 2022, the Boeing Company ("Boeing") removed this action from King County Superior Court under 28 U.S.C. §§ 1332, 1441, and 1446. See Notice of Removal (docket no. 1). Boeing based its removal on complete diversity between the parties and an amount in controversy exceeding \$75,000. See *id.* Plaintiffs now move to remand this action pursuant to 28 U.S.C. § 1441(b)(2), which prohibits removal of actions solely on the basis of diversity "if any of the parties in interest properly joined and served as defendants is a citizen of the State in which such action is brought." For purposes of diversity jurisdiction, a corporation is a citizen of its state of incorporation and of the state where its principal place of business is located. 28 U.S.C. § 1332(c)(1).<sup>1</sup> Plaintiffs argue that, under the standard articulated in *Hertz Corp. v. Friend*, 559 U.S. 77 (2010), Boeing's principal place of business is located in Washington. In *Hertz*, the Supreme Court held that a corporation's principal place of business, or "nerve center," is the place where the "corporation's high level officers direct, control, and coordinate the

<sup>1</sup> It is undisputed that Boeing is incorporated in Delaware.

1 corporation's activities." *Id.* at 80–81. Boeing has met its burden of establishing that its  
2 principal place of business is located in Illinois, where Boeing maintains its corporate  
3 headquarters. *See Wilmington Tr. Co. v. Boeing Co.*, No. C20-0402-RSM-MAT, 2020  
4 WL 4004575 (W.D. Wash. June 8, 2020), *report and recommendation adopted*, 2020 WL  
4000998 (W.D. Wash. July 15, 2020) (rejecting the argument that Boeing's principal  
place of business is in Washington and denying plaintiffs' motion for remand to state  
court). Because Boeing is a citizen of Delaware and Illinois, this action was properly  
removed from state court.

5 (2) The Clerk is directed to send a copy of this Minute Order to all counsel of  
6 record.

7 Dated this 23rd day of May, 2022.

8 Ravi Subramanian

9 Clerk

10 s/Gail Glass

11 Deputy Clerk